

March 18, 1974

Why did you change? I don't know, but I can guess. I have been here long enough. They feel the heavy hand of the establishment in the area of which they have more influence, than they should have. Now this bill originated in the Judiciary Committee. And what I say is not true, I hope those people on the Judiciary Committee will correct me. We had the bill in it's original form and we called the attorney general of the State of Nebraska in to give his view point, and to give us some suggestion how we could make a meaningful bill in order to do substantially what the federal government had done in the area of this type of legislation. The first thing he said, now I don't even have the power of subpoena. Well, sort of shook us up. Why? Why didn't the Attorney General of the State of Nebraska, who has been there, I don't ten, twelve or fourteen years, have the power of subpoena. How did that come about? It wasn't by accident. He said, I said why didn't you ask for it? He said, I didn't think you would give it to me. He didn't think he would give it to him, and he was predetermining what he would do if he asked us for it. Just think, every legislative committee in this body has the power of subpoena. But the Attorney General who had the power to enforce all the laws in the area in which we are now talking didn't have the subpoena power. Apparently he didn't want it, not to the extent of asking for it. Now did that happen, for the same reason that a number of Senators changed their vote here this afternoon. The same reason, really, maybe different people, same reason. So we said, what about the antitrust laws in the State of Nebraska. He said, well (laughingly) we haven't changed that since 1906. Well, why? Why haven't anyone made a request to change the antitrust laws since 1906? He didn't have any real answer. Except by inference. At least I got to thinking, well why should I, the Attorney General ripple the waters. At what point, my friends, is the Legislature, and those who are elected to public office have the courage to write a law we know basically should not be allowed to continue. Now the Judiciary Committee knew what I was going to do because we talked about it. We reported the bill out on to the floor with the understanding that Senator Carpenter would have an amendment drawn, which would do substantially what we talked about at that particular time, which I did. I know from experience that when you start adopting exceptions, you start destroying what you started out to do. And that's power for the course. You get your foot in the door and eventually you knock the door down. And that's all that's going on here now. Now I want you to tell me, and I want you to tell the people of this state why within a matter of hours you change your mind on a bill you almost unanimously voted for, but what was the reason that changed your mind from that date till today. Was it the railroads? Well, I think it was, but not entirely the railroads. Now you are not satisfied, do you want an amendment. Do you want to hold the bill, for the.. for all the amendments that the human mind can arrive at. Now as far as I'm personally concerned. Personally concerned. This bill in it's original form is an ideal bill. Of course, nobody could predict what would happen, any more than you can on any bill, than you can predict what could happen. Only the courts are going to determine that and the juries. Obviously an individual can go into the courts and attempt to recover, or to prosecute to the extent that he feels